



Entered on Docket
July 19, 2006

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
Debtor.

Jointly Administered Under
Case No. BK-S-06-10725 LBR

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

STIPULATION AND ORDER RESCHEDULING HEARINGS ON:

1. DEBTORS' APPLICATION TO EMPLOY AND RETAIN RAY QUINNEY & NEBEKER P.C. AS COUNSEL FOR THE DEBTORS;

2. APPLICATION BY DEBTOR AND DEBTOR-IN-POSSESSION FOR AUTHORIZATION TO RETAIN AND EMPLOY SCHWARTZER & McPHERSON LAW FIRM AS COUNSEL UNDER GENERAL RETAINER;

3. DEBTOR'S MOTION FOR ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF THOMAS J. ALLISON OF MESIROW FINANCIAL INTERIM MANAGEMENT, LLC AS CHIEF RESTRUCTURING OFFICER FOR THE DEBTORS AND DEBTORS-IN-POSSESSION (AFFECTS ALL DEBTORS)

IT IS HEREBY STIPULATED and AGREED by and between USA Commercial Mortgage Company, USA Securities, LLC, USA Capital Realty Advisors, LLC, USA Capital Diversified Trust Deed Fund, LLC, and USA Capital Trust Deed Fund, LLC (collectively, the "Debtors") by and through their attorneys, the law firm of Schwartzer & McPherson and Ray Quinney & Nebeker; the Official Committee of Holders of Executory Contract Rights through USA Commercial Mortgage Company by and through its attorneys, Gordon & Silver, Ltd.; the Official Unsecured Creditors Committee by and through its counsel, Lewis and Roca, LLP; the Official Committee of Equity Security Holders of USA First Trust Deed Fund, LLC by and through its counsel, Stutman, Treister & Glatt, L.P. and Shea & Carlyon, Ltd.; the Official Committee of Equity Security Holders of USA Capital Diversified Trust Fund, LLC by and through its counsel, Orrick Herrington & Sutcliffe, LLP and Beckley Singleton, Chtd.; (collectively, the "Committees") and the Office of the United States Trustee, by and through August B. Landis, Esq. (the "Trustee"); as follows:

WHEREAS, the Court has set an omnibus hearing for July 25, 2006 (the "July 25 Hearing") in the above-captioned cases; and

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WHEREAS, an Order Granting Debtor's Application To Employ And Retain Schwartz & McPherson Law Firm As Counsel For All Debtors (the "S&M Employment Order") was entered on June 5, 2006 which scheduled a continued hearing for July 27, 2006 at 9:30 a.m. to consider an extension of the employment of Schwartz & McPherson Law Firm; and

WHEREAS, an Order Granting Debtor's Application To Employ And Retain Ray Quinney & Nebeker P.C. As Counsel For All Debtors (the "RQN Employment Order") was entered on June 5, 2006 which scheduled a continued hearing for July 27, 2006 at 9:30 a.m. to consider an extension of the employment of Ray Quinney & Nebeker P.C.; and

WHEREAS, an Interim Order Authorizing The Employment And Retention Of Thomas J. Allison Of Mesirow Financial Interim Management, LLC As Chief Restructuring Officer For The Debtors And Debtors-In-Possession (the "Mesirow Employment Order") was entered on April 19, 2006 which scheduled a continued hearing for July 27, 2006 at 9:30 a.m. to consider an extension of the employment of Thomas J. Allison of Mesirow Financial Interim Management, LLC; and

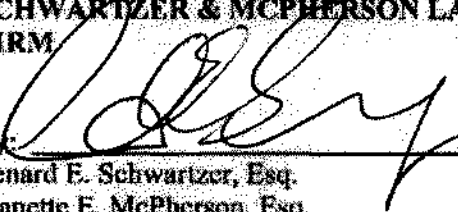
WHEREAS, Omnibus hearings are currently scheduled in this case on July 25, 2006 at 9:30 a.m. and these Motions are the only matters scheduled to be heard on July 27, 2006. Holding a hearing on these Motions at the same time would serve the interests of judicial economy.

NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

I. The continued hearings on the S&M Employment Order, RQN Employment Order, and Mesirow Employment Order shall be heard on July 25, 2006 at 9:30 a.m. and any response or opposition thereto shall be filed and served on or before July 21, 2006.

DATED this 18th day of July, 2006.

RAY, QUINNEY & NEBEKER, P.C. and
SCHWARTZER & MCPHERSON LAW
FIRM

By: 
Leonard E. Schwartz, Esq.
Jeanette E. McPherson, Esq.
Attorneys for the Debtors and Debtors in Possession


OFFICE OF THE U.S. TRUSTEE

By: 
August B. Laddis, Esq.
Scott A. Harrow, Esq.

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5 **AS COUNSEL UNDER GENERAL RETAINER; 3. DEBTOR'S MOTION FOR ORDER**
6 **AUTHORIZING THE EMPLOYMENT AND RETENTION OF THOMAS J. ALLISON OF**
7 **MESIROW FINANCIAL INTERIM MANAGEMENT, LLC AS CHIEF RESTRUCTURING**
8 **OFFICER FOR THE DEBTORS AND DEBTORS-IN-POSSESSION**
9 **(AFFECTS ALL DEBTORS)**

10 **GORDON & SILVER, LTD.**

ORRICK, HERRINGTON & SUTCLIFFE
LLP and BECKLEY SINGLETON, CHTD.

11 By: 
12 Gerald M. Gordon, Esq.
13 Gregory M. Garman, Esq.
14 *Counsel for the Official Committee of Holders of*
15 *Executory Contract Rights of USA Commercial*
16 *Mortgage Company*

By: _____
Marc A. Levinson, Esq.
Brett A. Axelrod, Esq.
Anne M. Loraditch, Esq.
Counsel for the Official Committee of Equity
Security Holders of USA Capital Diversified
Trust Deed Fund, LLC

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18 **SHEA & CARLYON, LTD.**

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21 Christine Pajak, Esq.
22 Candace Carlyon, Esq.
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24 *Security Holders of USA Capital First Trust Deed*
25 *Fund LLC*

By: _____
Susan M. Freeman, Esq.
Rob Charles, Esq.
Counsel for the Official Committee
of Unsecured Creditors of USA Commercial
Mortgage Company

ORDER

26 **IT IS SO ORDERED.**

27 **PREPARED AND SUBMITTED by:**
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SCHWARTZER & MCPHERSON LAW FIRM

By: _____
Lenard E. Schwartzer, Esq.
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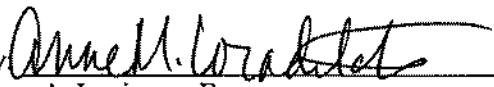
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